

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ARTHUR HOLDEN,
Plaintiff,

v.

MARTINEZ DETENTION FACILITY,
Defendant.

Case No. [16-cv-03827-RS](#) (PR)


ORDER OF DISMISSAL

Plaintiff has failed to comply with the Court's order to (1) file a complete application to proceed *in forma pauperis* ("IFP"), or (2) pay the filing fee of \$400.00. His IFP application (Docket No. 6) lacks a prison trust account statement showing transactions for the last six months. Accordingly, the action is **DISMISSED** without prejudice for failing to respond to the Court's order, and for failure to prosecute, *see* Fed. R. Civ. P. 41(b). Because this dismissal is without prejudice, plaintiff may move to reopen the action. Any such motion must contain (1) a prison trust account statement showing transactions for the last six months, or (2) full payment for the filing fee of \$400.00.

His motion to proceed IFP (Docket No. 6) is **DENIED** as insufficient. The Clerk shall terminate Docket No. 6, enter judgment in favor of defendant, and close the file.

IT IS SO ORDERED.

Dated: September 14, 2016



RICHARD SEEBORG
United States District Judge